

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RICKIE D. HESTER,)
)
)
Petitioner,)
)
-vs-) Case No. CIV-09-422-F
)
)
GREG PROVINCE,)
)
)
Respondent.)

ORDER

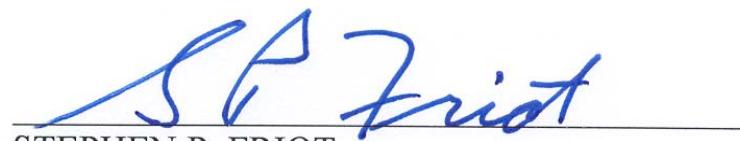
On November 30, 2010, United States Magistrate Judge Bana Roberts issued a Report and Recommendation (doc. no. 11), wherein she recommended that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied. Magistrate Judge Roberts therein advised petitioner of his right to file an objection to the Report and Recommendation by December 20, 2010 and that failure to make timely objection to the Report and Recommendation waives his right to appellate review of both factual and legal questions contained in the Report and Recommendation.

To date, petitioner has not filed an objection to the Report and Recommendation. He has also not filed any request for an extension of time to file an objection. With no objection filed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Bana Roberts on November 30, 2010 (doc. no. 11) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Petitioner's Petition for a Writ of Habeas Corpus

Pursuant to 28 U.S.C. § 2254 by a Person in State Custody is **DENIED**. Judgment shall issue forthwith.

DATED January 4, 2011.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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